

CUSTOMER NO.: 24498
Attorney Docket No. PA020014
Date of Office Action: 08/05/2008

PATENT

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Remarks/Arguments

Claims 1 - 10 are pending.

The independent claims have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. No new matter is believed to be added by the present amendment.

Rejection of claims 1-10 under 35 USC 103(a) as being unpatentable over Van Ryzin (US 6,446,080) in view of Shrader (US Pub. No. 2003/0023975) and Chen (US Pub. No. 2004/0148419)

The present principles relates to a method and an apparatus wherein a user may introduce several first actions for determining several tracks to be considered, these tracks being added in the play list. The user is then able to introduce a second action for removing a track from the playlist. If several occurrences of the track exist in the playlist, the present arrangement removes the last occurrence of the track from the playlist. In this manner the system provides a simple method to remove the last occurrence of a track that occurs several times in the playlist.

This feature is disclosed, for example, in the specification as filed, page 5 lines 18:

"Further tracks can be added in the same way."

And page 5 lines 22 to 25 :

"Using this scheme, the user can define a play list as shown for instance on figure 6 where the play list reads "T2 - T4 - T6 - T4 - T5". For the user's convenience the player 2 also makes it possible to remove elements (i.e. here tracks) from the play list as described below."

It is clear that this sentence shows the entering of tracks according to a defined order, and the two occurrences of the tracks "T4". Then, the last occurrences of the tracks "T4" is removed, as disclosed page 6 lines 6 to 8 :

"The user then presses the "CLR" button 32 which removes the last "T4" entry (as box "Track 4" is highlighted) from the play list and thus from the play list area 40."

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In that regard, amended claim 1 recites:

- upon a second action introduced by a user, removing the track to be considered, and if several occurrences of the track to be considered exist in the playlist, removing the **last occurrence** of the track to be considered in the play list displayed in the second area (emphasis added)

Applicants submit that at least the feature of including several occurrences of the same track in the play list, and upon receiving a second signal introduced by a user from the user interface, the last occurrence of this track is removed, are not disclosed nor suggested by the cited prior art. The remaining independent claims have been similarly amended to recite this feature, and are believed to be patentably distinguishable over the cited references for the same reasons as discussed with respect to claim 1.

Van Ryzin discloses a digital audio/visual actuator device that displays play lists. The play lists are created by an external device, for example a PC, and downloaded in the actuator device, for example a CD player. The user can modify the displayed play list by adding or cancelling a document.

Van Ryzin does not disclose that the same track can be added in the play list, i.e. the same track appears several time in the play list. Van Ryzin appears to say nothing in this regard.

The Examiner cites the paragraph column 5 lines 19 to 44. This sentences and the flowchart of the figure 6 discloses the creation of the play list 40. It is possible to remove an item that was added in the play list, see column 5 lines 40 to 46 :

"At Decision Block 45, the user is given the opportunity to delete any tracks added to the play list that the user wishes to now delete from it. This is accomplished at Block 46. If no tracks are to be deleted from the play list, the flow proceeds to Block 47. At Block 47, the play list is saved in non-volatile memory in digital audio/visual actuator device 10."

The Examiner writes page 3 lines 10 to 13 : *"Based on the user's preference, the user is given the opportunity to delete any tracks (first, second etc or last tracks as the user desires."*

Van Resin also says nothing regarding the manner for selecting the track to be removed.

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Certainly, nowhere does Van Ryzin disclose or suggest the specific manner in which the tracks are deleted according to the amended claims as mentioned above.

Schrader discloses an enhanced television navigation service that supplies broadcast television music programming, digital audio and related content. The related content is linked with the broadcast programming and is presented to the user with a menu. The information concerning music audio and video programs that is broadcast or will be broadcast is received by a client system and displayed (see figure 9 and 10 for example).

The Examiner considers that Schrader discloses "displaying in a first area a representation of at least part of available tracks (fig. 10 : item 1010)" and "displaying in a second area of the screen at least part of the current play list (fig. 10 : item 1020".

The applicants disagree that Schrader discloses such a feature. The second area referenced 1020 shows an "information window 1020" as disclosed in the paragraph 98 :

"Thus, additional data corresponding to the user selection 1014 is presented in an information window 1020. In this instance, such additional information includes the full name of the selected song title, the full name of the artist, the album and year of introduction of the album."

Shrader discloses that another window contains information about the single highlighted items of the complete list. Schrader does not disclose a play list displayed in the second area that contains indication of several tracks.

Shrader discloses in the paragraph 77 :

Thus, in one embodiment, the invention guides the user to music programs that are currently playing by presenting a play-list of such events in a navigation display area on the screen. The play-list presented in the navigation display area may also be filtered according to the user's preferences.

Therefore, the play list of Shrader is produced by the apparatus, and is updated by it.

Additionally, nowhere does Shrader disclose or suggest the specific manner of deleting tracks having several occurrences in a playlist as recited in the amended claims.

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Chen discloses an apparatus for providing entertainment functions to multiple users. A computer receives audio data, and process the audio data for subsequent transmission as a streaming audio data to a second device. The second device outputs the streaming audio data as an entertainment function for a second user.

First, applicants submit that Chen does not discloses menus "displaying in a first area of a screen a representation of at least part of available tracks," and "displaying in a second area of the screen at least part of the current play list" as recited in the present claims.

Moreover, Chen does not disclose nor suggest any user interface displaying document and where a selected document can be removed by an action introduced by the user.

In the Office Action the Examiner cites the paragraph 129, which states:

"Alternatively or additionally, a second user 2080 can input a command(s) 2085 (hereinafter "input command 2085") in an input module 2058 in the variable function device 110a. The input command 2085 is then processed by a processor 2020 to generate a signal(s) 2095 (hereinafter "signal 2095") which is then transmitted across the link 115. In response to a particular transmitted signal 2095, the processor 125 can retrieve a data 2010 in the play list 2052 and can process the data for output via I/O interface 120 or via transceiver 2025 across the link 115 to the variable function device 110a. Depending on the type of command 2053 or command 2085, the processor 125 can retrieve at least a particular one of the MP-3 files 2010a, Internet radio broadcast data 2010b, and/or other data 2010c for transmission across the link 115 to the variable function device 110a. The variable function device 110a is configured to permit the second user 2080 to enable the computer 105a to perform various desired functions that were described above. Thus, the second user 2080 is not required to use the input device(s) 2075 in order to permit the computer 105a to perform particular functions such as the streaming of data 2010, data collection 2087, or other data from the computer 105a to the variable function device 110a for output as a signal 2040 that can be perceived by the second user 2080 (and/or by the first user 2060).

Clearly, nowhere does Chen disclose or suggest the specific manner of removing a track having several occurrences in a playlist as recited in the amended claims as discussed above.

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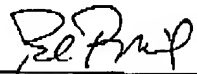
Applicants submit that for at least the reasons discussed above the suggested combination of prior art references fail to disclose or suggest each and every feature recited in the independent claims 1, 4, 7 and 10, and as such, these claims, and the claims that depend therefrom, are patentably distinguishable over any combination of Van Ryzin, Shrader and Chen.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there is no fee due with regard to the filing of this response. However if there is a fee, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,
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